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August 31, 2016

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VIA ECF

Hon. Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, New York 10007

Re: *Lopez v. Ooshirts, Inc., et al.*, 16-cv-5426 (GHW) (S.D.N.Y.)

Dear Judge Woods:

Our firm represents defendant Tumblr, Inc. ("Tumblr") in the above-captioned action, and submit this letter motion to adjourn the initial pretrial conference currently scheduled for September 6, 2016 at 3:00 p.m.

On or about July 14, 2016, Plaintiff provided Tumblr with a courtesy copy of the amended complaint filed on or about July 11, 2016, in this action. On or about August 17, 2016, Plaintiff provided Tumblr with a courtesy copy of the Court's Notice of Initial Pretrial Conference.

As Tumblr has neither been served with the amended complaint nor waived service, and in light of the upcoming Labor Day holiday (and Tumblr's trial counsel's previously scheduled trip out of state), Tumblr respectfully requests an adjournment of the initial pretrial conference currently scheduled for September 6, 2016 at 3:00 p.m. until a date and time convenient for the Court after service has been effectuated.

This represents Tumblr's first request for an adjournment. Plaintiff has responded to Tumblr's requests that he consent to the adjournment.

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This letter motion is respectfully submitted without prejudice to Tumblr's rights and remedies, including its right to object to the amended complaint on jurisdictional or other grounds, all of which are expressly reserved, and does not constitute an appearance in this action.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'Olivia Harris', with a long horizontal line extending to the right.

Olivia Harris

cc: Robert G. Lopez (via email)